

AMENDMENT UNDER 37 C.F.R. §1.111  
U.S. Appln. No. 09/251,149

REMARKS

Claims 26-40 are all the claims pending in the application.

Claims 28-30 and 33 have been allowed.

Claim 34 has been canceled without prejudice.

Claims 26, 27, 31, 32, 34-38 and 40 have been rejected under 35 U.S.C. § 112, 2<sup>nd</sup> paragraph as being indefinite. The amendments to independent claims 26 and 38 are believed to overcome these rejections, therefore, the Examiner is requested to withdraw these rejections.

Applicants thanks the Examiner for the personal interview on July 17, 2001. Applicants are formally filing the claim amendments discussed during the interview.

Claims 26, 32 and 35-40 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Cailley and/or Suzuki et al. Applicants traverse these rejections because the cited references fail to disclose all of the limitations of the claims as amended. Specifically, the references fail to disclose at least the following limitations:

Claim 26

forming a tab connection portion by *folding at least one section of successive windings* of the first electrode to form a radially extending folded portion, *wherein a portion of successive windings adjacent to the radially extending folded portion in a circumferential direction remain unfolded so as to define an unfolded portion.*

Claim 38

forming a tab connection portion by *folding at least one section of successive windings* of the first electrode to form a radially extending folded portion, *wherein a portion of successive windings adjacent to the radially extending folded portion in a circumferential direction remain unfolded so as to define an unfolded portion.*

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In both Cailley and Suzuki et al., the tab connection portion extends over the entire surface portion of the end of the stack, except for a very thin “ring” around the periphery of the stack. See figure 1 of both references. On the other hand, in independent claims 26 and 38, the tab portion extends over only a small portion of the periphery of the stack. For example, see figure 1. This is advantageous because since the tab portion extends over only a small portion, the rest of the unmodified electrode end can readily accept electrolyte. Specification page 9, line 32 to page 10, line 3.

With respect to claims 27, 32 and 34-40, they should be allowable at least based on their dependence from claims 26, 33 or 38.

Reconsideration and allowance of all claims are respectfully requested in view of the following remarks. In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

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Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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Date: August 10, 2001

**APPENDIX**

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

**The claims are amended as follows:**

26. (Three Times Amended) A method of making an electrochemical cell comprising the steps of:

providing an electrode stack [which includes a] including alternately arranged first and second electrodes, the first electrode extending from one end of the stack, [a] the second electrode extending from an opposite end of the stack, and a longitudinal axis between [said] the ends of the stack;

forming a tab connection portion by folding at least one section of successive windings of the first electrode to form a radially extending folded portion, wherein a portion of successive windings adjacent to the radially extending folded portion in a circumferential direction remain unfolded so as to define an unfolded portion [so that it extends in a direction at an angle to the longitudinal axis to form a tab connection portion, such that said tab connection portion does not extend over substantially the entire surface portion of one end of said stack].

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38. (Three Times Amended) A method of making an electrochemical cell comprising the steps of:

providing an electrode stack [which includes a] including alternately arranged first and second electrodes, the [a] first electrode having a first end[,] and a second electrode [and a periphery];

forming a tab connection portion by folding at least one section of successive windings of the first electrode to form a radially extending folded portion, wherein a portion of successive windings adjacent to the radially extending folded portion in a circumferential direction remain unfolded so as to define an unfolded portion [to form a tab connection portion that does not extend around substantially the entire surface portion of the periphery of said stack].